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FM AMEMBASSY MADRID
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0523
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE IMMEDIATE
RUEHLA/AMCONSUL BARCELONA IMMEDIATE 3951
RUCNFB/FBI WASHDC IMMEDIATE
RUEHNO/USMISSION USNATO IMMEDIATE 1553
RUEAHLA/HOMELAND SECURITY CENTER WASHINGTON DC IMMEDIATE
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 0497
RUEHMD/USDAO MADRID SP IMMEDIATE
RUEKJCS/SECDEF WASHDC IMMEDIATE
RHEHNSC/NSC WASHDC IMMEDIATE
RUEILB/NCTC WASHINGTON DC IMMEDIATE
RUEAWJA/DEPT OF JUSTICE WASHDC IMMEDIATE
RUEAIIA/CIA WASHDC IMMEDIATE

Friday, 17 April 2009, 06:07

C O N F I D E N T I A L SECTION 01 OF 03 MADRID 000392

SIPDIS
EUR/WE FOR ELAINE SAMSON AND STACIE ZERDECKI,
L/LEI FOR KEN PROPP AND CLIFF JOHNSON
CA/OCS FOR PPLATUKIS AND MBERNIER-TOTH
INR FOR JANICE BELL
S/CT FOR MARC NORMAN
EMBASSY ROME FOR MOLLY PHEE
PASS TO NSC'S TOBY BRADLEY, CAROLYN KRASS
PASS TO DOJ'S BRUCE SWARTZ AND DOJ/OIA/PAT REEDY
EO 12958 DECL: 04/16/2019
TAGS AORC, PREL, CASC, CJAN, PTER, PGOV, PHUM, PINS, SOCI,
KCRM, KJUS, KISL, KLIQ, SP
SUBJECT: SPAIN: ATTORNEY GENERAL RECOMMENDS COURT NOT
PURSUE GTMO CRIMINAL CASE VS. FORMER USG OFFICIALS
REF: A. MADRID 383 B. MADRID 347
MADRID 00000392 001.2 OF 003
Classified By: Charge D'Affaires Arnold A. Chacon for reasons 1.4 (b) a nd (d)
1. (C) SUMMARY. On April 16, Candido Conde Pumpido, Spain's Attorney General (AG), publicly stated that prosecutors will "undoubtedly" not sug
//BACKGROUND ON THE CASE//
2. (C) As reported in REF B, a Spanish NGO - Association for the Dignity of Spanish Prisoners - in March 2009 requested that the National Cour
//ANNOUNCEMENT FOLLOWS INTENSIVE USG OUTREACH//
3. (C) Following revelations by the Spanish press that the complaint had been filed, the Acting DCM on March 31 and April 1 phoned FM Moratinc
MADRID 00000392 002.2 OF 003
4. (C) As reported in REF A, Senator Judd Gregg, accompanied by the Charge d'Affaires, raised the issue with Luis Felipe Fernandez de la Pena,
5. (C) Zaragoza on April 14 called Embassy Madrid's FSN Legal Adviser and informed her that a more thorough study had revealed that the compls
6. (C) As reported in SEPTTEL, Senator Mel Martinez, accompanied by the Charge d'Affaires, met Acting FM Angel Lossada during a visit to the St
7. (C) Meanwhile, the Embassy has been involved in DOJ-led talks to have Zaragoza - who attended the April 16 press conference - lead a four-p
//COMMENT//
8. (C) Although not legally binding on the National Court, Conde Pumpido's announcement puts pressure on crusading judge Garzon, who has not y
MADRID 00000392 003.2 OF 003
disregards his recommendation and takes the case, the prosecutor will appeal. When a judge disagrees with the prosecutor on how or what to inve